

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KATHLEEN HICKEY,	:	CIVIL NO.: 4:18-cv-01793
<i>As the Administratrix of Estate of</i>	:	
<i>Michael A. Serrano, Deceased,</i>	:	(Magistrate Judge Schwab)
<i>and in her Own Right,</i>	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
KAREN MERRITT-SCULLY,	:	
MICHAEL MOCLOCK,	:	
RENEE KERR.	:	
	:	
Defendants.	:	

ORDER

March 24, 2022

For the reasons set forth in the Memorandum Opinion filed concurrently with this Order, **IT IS ORDERED** that the motions for summary judgment (*docs 43, 45*) are **GRANTED IN PART AND DENIED IN PART**. Specifically, regarding Hickey's professional negligence claims, the defendants' motions for summary judgment are **DENIED**. Regarding Hickey's Eighth Amendment claims, the defendants' motions for summary judgment are **DENIED** as it relates to Dr. Moclock and Merritt-Scully; however, the motion for summary judgment is **GRANTED** as it relates to Hickey's Eighth Amendment claims against Nurse Kerr. Regarding Hickey's § 1983 claim for failure to train, supervise, and

discipline, the motion for summary judgment is **GRANTED**. Last, Merritt-Scully is **DENIED** summary judgment as to her claim of sovereign immunity.

IT IS FURTHER ORDERED that a status call is scheduled for **April 12, 2022**, at **10:30 a.m.** The conference will be by telephone. Counsel for the plaintiff shall initiate the call by calling Chambers at (717) 221-3980.

S/Susan E. Schwab
Susan E. Schwab
United States Magistrate Judge